



Legislative Bulletin.....March 25, 2003

Contents:

H.Res. 134 — Electing Members to serve on the Joint Committee on Printing and the Joint Committee of Congress on the Library

S.Con.Res. 20— A concurrent resolution permitting the Chairman of the Committee on Rules and Administration of the Senate to designate another member of the Committee to serve on the Joint Committee on Printing in place of the Chairman

H.Con.Res. 84 — Providing for the acceptance of a statue of President Dwight D. Eisenhower, presented by the people of Kansas, for placement in the Capitol, and for other purposes

H.R. 620—To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California of local educational agencies in California in providing educational services for students attending schools located within the Park

H.R. 788—To revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona

H.R. 961—Upper Mississippi River Basin Protection Act

H.Res. 134—Electing Members to serve on the Joint Committee on Printing and the Joint Committee of Congress on the Library (Ney)

Order of Business: The resolution will be considered on Tuesday, March 25, 2003, under unanimous consent.

Summary: H.Res.134 elects Rep. Doolittle (R-CA), Rep. Linder (R-GA), Rep. Larson (D-CT), Rep. Kevin Brady (R-TX) to serve with the chair of the Committee on House Administration (Rep. Ney (R-OH)) on the Joint Committee on Printing.

The resolution also elects Rep. Ehlers (R-MI), Rep. Larson (D-CT), and Rep. Millender-McDonald (D-CA) to serve with Rep. Ney and Rep. Kingston (R-GA) (Chair of Legislative Branch Appropriations subcommittee) on the Joint Committee of Congress on the Library.

Additional Information: The principle purpose of the Joint Committee on Printing is to oversee the functions of the Government Printing Office and general printing procedures of the Federal Government. The authority vested in the Joint Committee on Printing is derived from Title 44 of the U.S. Code and the Committee is thereby responsible for ensuring compliance by federal entities to these laws and the Government Printing and Binding Regulations (Source: <http://www.house.gov/jcp/>).

Committee Action: H.Res.134 was referred to the House Committee on House Administration on March 11, 2003. The Committee did not consider the resolution.

Cost to Taxpayers: The resolution has no cost.

Does the Bill Create New Federal Programs or Rules: No.

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S.Con.Res. 20 - A concurrent resolution permitting the Chairman of the Committee on Rules and Administration of the Senate to designate another member of the Committee to serve on the Joint Committee on Printing in place of the Chairman (Lott)

Order of Business: The resolution will be considered on Tuesday, March 25, 2003, under unanimous consent.

Summary: S.Con.Res. 20 permits the Chairman of the Committee on Rules and Administration of the Senate to designate another member of the Committee to serve on the Joint Committee on Printing in place of the Chairman.

Committee Action: S.Con.Res. 20 passed the Senate by unanimous consent on March 13, 2003. It was received in the House and held at the desk. (thus not referred to a committee).

Cost to Taxpayers: The resolution has no cost.

Does the Bill Create New Federal Programs or Rules: No.

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H.Con.Res. 84—Providing for the acceptance of a statue of President Dwight D. Eisenhower, presented by the people of Kansas, for placement in the Capitol, and for other purposes (Tiahrt)

Order of Business: The resolution will be considered on Tuesday, March 25, 2003, under a motion to suspend the rules and pass the bill.

Summary: The resolution has five findings regarding the life of former President Dwight D. Eisenhower, who was born in Denison, Texas and raised in Abilene, Kansas. Prior to being elected the 34th President of the United States, Dwight Eisenhower was the leader of the victorious Allied armies in World War II and the first supreme commander of the North Atlantic Treaty Organization. President Eisenhower and his wife Mamie are buried in the

Place of Meditation, on the grounds of the Eisenhower Center and Presidential Library and Museum in Abilene, Kansas.

The resolution resolves that the House of Representatives (with the Senate concurring): accepts the statue of Dwight D. Eisenhower for placement in the Capitol, and permits the State of Kansas to use the Rotunda of the Capitol on June 4, 2003, for a presentation ceremony for the statue. The statue will remain in the Rotunda for a period of not more than 6 months, after which time it shall be moved to its permanent location.

Additional Information: Under 40 U.S.C. 187, each state may only have two statues in the Capitol. According to the bill sponsor, the statue of President Eisenhower will replace the statue of George W. Glick, a prominent Kansas politician in the late 19th century. The Kansas state legislature passed a resolution authorizing the removal of the Glick statue from the United States Capitol. This is the first time that Congress will allow a state to replace an existing state statue.

Committee Action: H.Con.Res. 84 was referred to the House Committee on House Administration on March 6, 2003. The Committee did not consider the resolution.

Cost to Taxpayers: The Architect of the Capitol is likely to incur cost to place the statue in the Capitol Rotunda and remove the statue of George W. Glick. The resolution authorizes the Architect of the Capitol and the Capitol Police Board to “take such action as may be necessary with respect to physical preparations and security” for the placement ceremony, which also is likely to incur a cost. According to the bill sponsor, \$264,000 was raised by The Eisenhower Foundation, a 501(c)(3), which independently commissioned an artist in Lawrence, Kansas to create the Eisenhower statue. The funds raised will cover the cost of the statue and any other costs associated with transporting the statue to the Capitol, including the unveiling ceremony. According to the bill sponsor, the state of Kansas will cover the costs of transporting the Glick statue back to Kansas.

Does the Bill Create New Federal Programs or Rules: The resolution allows the state of Kansas to replace a statue in the Capitol with a new statue.

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H.R. 620 — To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist the State of California of local educational agencies in California in providing educational services for students attending schools located within the Park (Radanovich)

Order of Business: The bill is scheduled for consideration on Tuesday, March 25th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 620 would authorize the Secretary of the Interior to make payments to two California school districts, containing 3 elementary schools, which serve the families of Yosemite National Park employees. These funds are in addition to the state education money from the State of California, distributed by formula according to student enrollment. The school districts may only use the funds “to pay public employees” for educational services provided to the students, and may not use the funds for “*new* construction, constructions contracts, or *major* capital improvements” [emphasis added]. The payments may not exceed \$400,000 per year.

The bill also authorizes the Yosemite Area Regional Transportation System facility to be established outside of Yosemite National Park.

Additional Background: A bill very similar to H.R. 620, H.R. 3421, passed the House by voice vote on April 30, 2002. The only significant difference between the bills is the limitation of the amount of funds to be provided to the school districts (\$400,000 in H.R. 620, \$750,000 in H.R. 3421). The Senate did not consider the bill.

Committee Action: The bill was referred to the Committees on Resources and Education and the Workforce, but was not considered by either committee.

Administration Position: In testimony in the 107th Congress, David Mihalic, Superintendent of Yosemite National Park with the National Park Service, testified that, “**The Administration is generally concerned about the notion of diverting limited park funds to what is essentially a State responsibility. We do not want this to set a precedent that parks should take over responsibility for schools or create an NPS school system.**”

Cost to Taxpayers: A Congressional Budget Office estimate of similar legislation in the 107th Congress found that the bill would cost \$0.4 million in 2003 and a total of \$3 million over the 2003-2007 period.

Does the Bill Create New Federal Programs or Rules?: Yes, the bill authorizes a new program at the Department of Interior to make supplemental payments to two California school districts.

Constitutional Authority: A committee report citing constitutional authority is not available.

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H.R. 788 — To revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona (Cannon)

Order of Business: The bill is scheduled for consideration on Tuesday, March 25th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 788 authorizes the Secretary of Interior to “acquire approximately 152 acres of private land in exchange for approximately 370 acres of land within the boundary of Glen Canyon National Recreation Area.”

Additional Background: Located along the Arizona-Utah border, Glen Canyon consists of 1.25 million acres of land and water. The owner of the private land, Page One L.L.C., initiated the transfer of land authorized in the bill. Area communities also support the transfer.

The House of Representatives passed legislation identical to H.R. 788 (H.R. 3786) in the 107th Congress by a vote of 374-0 (<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2002&rollnumber=250>). The Senate did not consider the legislation.

Committee Action: The bill was referred to the Committee on Resources, but was not considered.

Administration Position: In testimony given May 7, 2002, before the Subcommittee on National Parks, Recreation & Public Lands of the Committee on Resources, the National Park Service stated the Administration’s support for H.R. 3786, which is identical to H.R. 788.

Cost to Taxpayers: A Congressional Budget Office estimate of H.R. 3786 in the 107th Congress found that “based on an appraisal paid for by the private landowner, the land the federal government would receive is valued at \$836,000, and the land that it would give to the private landowner is valued at \$278,000. Under current law, the National Park Service is required to make a cash equalization payment to the private landowner for the difference in the appraisal. Thus, the cash equalization payment would be about \$560,000 to implement the act. Making such a payment would be subject to the availability of appropriated funds.”

Does the Bill Create New Federal Programs or Rules?: No.

Constitutional Authority: A committee report citing constitutional authority is not available.

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H.R. 961 — Upper Mississippi River Basin Protection Act (*Kind*)

Order of Business: The bill is scheduled for consideration on Tuesday, March 25th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 961 establishes a new Interior Department network to monitor and study nutrients and sediments as part of the Upper Mississippi River Stewardship Initiative. This network will be carried out through the U.S. Geological Survey (USGS), which will be required to create an electronic data collection system to identify significant sources of

sediment and nutrients in the Upper Mississippi River Basin. No later than 90 days after enactment, the USGS shall publish information regarding sediment and nutrient levels and reduction projects in the River.

The bill also requires USGS to establish a computer modeling program to “identify significant sources of sediment and nutrients in the Upper Mississippi River Basin” and to establish an internet system to provide information on sediment/nutrient levels and programs to the public. In addition, the National Research Council of the National Academy of Sciences is required to conduct a comprehensive water resources assessment of the Upper Mississippi River Basin.

To the “maximum extent practicable” the Interior Secretary shall inventory the existing monitoring efforts “of Federal, State, local, and nongovernmental entities for the purpose of creating a baseline understanding of overlap, data gaps and redundancies.” In other words, there are existing programs studying the River Basin.

H.R. 961 authorizes \$6.25 million a year for the programs to be carried out by USGS and \$650,000 for the assessment by the National Research Council.

Additional Background: A bill similar to H.R. 961 (H.R. 3480) passed the House in the 107th Congress by voice vote on April 9, 2002. The Senate did not consider the bill.

Committee Action: The bill was referred to the Committee on Resources, but was not considered.

Cost to Taxpayers: H.R. 961 authorizes a total of \$6.9 million for fiscal year 2004 (\$650,000 of which is a one-time cost for a study). A Congressional Budget Office estimate for H.R. 961 is not available. However, CBO provided an estimate of H.R. 3480 in the 107th Congress of \$31 million for fiscal years 2003-2007.

Does the Bill Create New Federal Programs or Rules?: Yes, as described above.

Constitutional Authority: A committee report citing constitutional authority is not available.

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